

1848 • 1948-9



Oregon
Territory
Centennial *

WITH MAPS SHOWING STATES
CREATED FROM OREGON TERRITORY

MONTANA

IDAHO





Oregon Territory as created in 1848



Oregon and Washington Territories upon creation of Washington Territory in 1853

Indexed by Carol Moore

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OREGON TERRITORY CENTENNIAL

This booklet is issued by the Publications Committee of the Territorial Centennial Committee, consisting of Dr. Burt Brown Barker, Chairman, Miss Jeannette Dentler and Walter Meacham.

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CHAPTER I

THE DIPLOMATIC BACKGROUND

The region which became the Territory of Oregon by act of Congress on August 14, 1848, had long been the subject of international interest and controversy. Four nations — Spain, Russia, England and the United States — had laid claim to portions of the area. It was not until 1846, two years before the Territory was established, that the exclusive jurisdiction of the United States over the country embraced in the new Territory was recognized. Before this result was achieved eight international treaties had been made which affected the Pacific Northwest.

The Spanish mariners Bartolome Ferrello and Sebastian Vizcaino voyaged as far north as the present Oregon in 1543 and 1603, respectively; and in 1579 Sir Francis Drake, the English freebooter, sailed somewhat farther north. It was during the period of the American Revolution, however, that maritime explorers really saw the Oregon coast. In 1774 Spanish ship captains — Juan Perez, Bruno Heceta, and others — cruised along the coast and went far to the north. Heceta apparently saw but did not enter the mouth of the Columbia, and later landed at Point Grenville in the present State of Washington. In 1778 the great English mariner, James Cook, made more careful observations and entered Nootka Sound on Vancouver Island. Within the ensuing decade English and American trading vessels began to frequent the northern Pacific Coast.

Out of those activities arose the first clash of international interests affecting the Pacific Northwest. In 1788 John Meares, an English ship captain, entered Nootka Sound, erected a rude fortification, and began the building of a vessel named the *North-West America*. The Spanish claimed the entire region on the basis of the famous Papal Bull of 1493 and the explorations of Perez, Heceta, and others. When the Spanish authorities in Mexico learned of the action of John Meares they sent Estevan Martinez in 1789 to take possession. Martinez seized Meares' buildings and ships and hoisted the Spanish flag. As soon as news reached England there was an explosion of indignation and for a time war between the two nations seemed imminent. Fortunately, the dispute was settled peaceably when, in a convention or treaty signed on October 28, 1790, Spain agreed to restore to England the possession of the "buildings and tracts of land situated on the northwest coast of the continent of North America," which had been captured by Martinez in 1789. Curiously enough, neither Spain nor Great Britain showed any interest in Nootka Sound thereafter. The English held that the treaty of 1790 was a recognition of their claim to the adjacent

country, although the Spanish did not concede that their rights in the Pacific Northwest were entirely eliminated.

However valid Spanish claims may have been, the United States and Great Britain soon laid more adequate foundations for claims to the Oregon Country. In May, 1792, Robert Gray, the American captain of the ship *Columbia*, discovered and entered the great river to which he gave the name of his vessel. During this same year George Vancouver, a British naval captain, was exploring Puget Sound; and after Gray's discovery of the Columbia River, one of Vancouver's men, William Broughton, explored the Columbia for about one hundred miles.

Spanish power was collapsing east as well as west of the Rocky Mountains. In 1762 Spain had acquired Louisiana from France, thus gaining possession, or securing claims, to the continent west of the Mississippi River. Within forty years, however, Spain returned Louisiana to France, from which nation it was purchased in 1803 by the United States. The boundaries of Louisiana were not clearly defined, but the purchase included all the land north of Spanish possessions — roughly north of present Texas and New Mexico — and between the Mississippi and the summit of the Rockies. The Louisiana Purchase doubled the size of the American domain and, more important for our history, carried the border of the United States to the border of the Oregon Country.

Even before the purchase of Louisiana, Thomas Jefferson had been interested in the land west of the Rockies, and as President had arranged for an expedition to be sent to explore it. The purchase made such an expedition more important. That expedition, the first United States exploring expedition, was under the command of captains Meriwether Lewis and William Clark. The presence of the party in the Pacific Northwest during the winter of 1805-06 further strengthened American claims. They explored the Columbia River from the mouth of the Snake to the Pacific Ocean, and in their winter camp at Fort Clatsop erected the first American-built structures in the Oregon Country.

Then came the era of the inland fur trade. In 1807 David Thompson began the establishment of trading posts for the Canadian North West Company in the region east of the upper Columbia; and in 1811 the partners of John Jacob Astor raised the American flag over a stockaded post named Astoria near the mouth of the Columbia. Thus Great Britain and the United States both had claims to the Oregon Country based on discovery, exploration, and settlement.

The second treaty affecting the Oregon Country was the Treaty of Ghent at the close of the War of 1812. During the war Astor's partners sold Astoria to representatives of the North West Company and at about the same time the captain of a British war vessel captured the post, renamed it Fort George, and raised the British flag. One provision of the Treaty of Ghent stated that territory taken by either nation from the other during the war should be restored to the original owner. Accordingly, on November 11, 1818, Astoria was formally restored to the United States, Great Britain



Astoria as it appeared in 1845, the beginning of the present city.

thereby acknowledging the validity of the American claim although the North West Company retained possession of the post until that company amalgamated with the Hudson's Bay Company in 1821.

In 1818 the United States and Great Britain negotiated a treaty which established the forty-ninth parallel as the boundary from the Lake of the Woods to the summit of the Rocky Mountains. The United States wished to extend that line to the Pacific, but the British would not agree to any boundary which did not give them access to the Columbia River. As a compromise, the two nations agreed to what is generally known as a "joint occupation" arrangement whereby "any country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains" should be "free and open" for ten years to the citizens and subjects of the two powers.

The claim of the Spanish to the Oregon Country was eliminated in a treaty signed in 1819 and ratified two years later. That treaty established the forty-second parallel from the Rocky Mountains to the Pacific Ocean as the northern limit of Spanish possessions. Shortly afterward, in treaties made in 1824 and 1825 with the United States and Great Britain, respectively, Russia gave up any claim she may have had to the area south of the famous line of 54° and $40'$ north latitude. Thus, after 1825 the only nations having a claim to the country stretching from the summit of the Rocky Mountains to the Pacific and from the forty-second parallel to fifty-four forty were the United States and Great Britain.

The joint occupation agreement made between these two nations in 1818 was not due to expire until 1828, but negotiations looking to a settlement of the boundary question began as early as 1824. The United States proposed that the forty-ninth parallel be the boundary west of the Rocky Mountains. Great Britain, on the other hand, insisted on the forty-ninth parallel to the

Columbia and then along that river to the Pacific Ocean. Since no agreement could be reached another treaty signed on August 6, 1827, extended the joint occupation arrangement indefinitely, with the provision that the treaty might be abrogated by either nation after giving one year's notice.

The extension of the agreement of joint occupancy was accepted with little protest for a number of years. During the 1830's, however, with the arrival of missionaries in the Oregon Country and the introduction of numerous bills in Congress to establish American rights in this region, American interest steadily increased. Then, beginning in 1841, American settlers began coming in increasing numbers over the Oregon Trail to the Willamette Valley. It was hoped that the boundary dispute would be settled during the negotiations leading to the Webster-Ashburton Treaty of 1842, but the subject was avoided.

Two years later came the presidential campaign of 1844, when territorial expansion was the goal of the Democratic standard-bearer, James K. Polk. The platform of the victorious party called for the "re-occupation" of the whole of the Oregon Country; and "Fifty-four forty or fight" became a stirring campaign slogan. Fortunately, it was not necessary to fight, for the question was settled through the peaceful method of diplomacy.

On April 27, 1846, the United States government gave notice of its desire to abrogate the agreement of joint occupancy. Less than two months later, on June 15, the long dispute was settled by a treaty in which the boundary was established along the forty-ninth parallel from the Rocky Mountains to the coast and a line through the mid-channel between Vancouver Island and the mainland to the Pacific Ocean. The way was now open for the establishment of the Territory of Oregon.



Steamer "Beaver," first steamship on the Pacific, in Victoria harbor.

CHAPTER II

FUR TRADE AND SETTLEMENT OF OREGON, 1810 TO 1846

Although the first efforts to establish American settlements in the Pacific Northwest were made in 1810 and 1811, until 1834 the only residents here were Indians and British fur-traders. After that date came an ever-increasing immigration of Americans from all parts of the United States and of every station and condition. By 1845 they outnumbered the British and forced the creation of a provisional, local government in the Willamette Valley settlement. Their presence here helped to arouse interest in "the States" and to promote activity by the Federal government that led, in 1846, to the determination of the boundary between American and British possessions west of the Continental Divide.

As early as 1807 David Thompson of the North West Company of Canadian fur-traders was on the western slopes of the Rocky Mountains, exploring, mapping, buying furs and building posts. In 1809 he founded Kullyspell House on the northeast shore of Lake Pend Oreille in present Idaho, and Saleesh House on Clark Fork in what is now Montana. The next year two of his men built Spokane House near the site of the modern city of Spokane, and in 1811 he traveled the entire length of the Columbia River, being the first white man to do so.

On his way to the river's mouth, while at the junction of the Snake, he posted a paper that began: "Know hereby that this country is claimed by Great Britain as a part of its territories." He so added another formal British claim to the region nineteen years after Captain George Vancouver had "taken possession" of the region on the seashore near the present Everett, Washington, in a body of water that still bears the name of Possession Sound. When Thompson reached the mouth of the Columbia in mid-July he was met and welcomed by the men who were building the American post of Astoria on the south bank at a site now in the heart of Astoria, Oregon.

Those men, Americans and Scotch-Canadians, were agents and partners of the Pacific Fur Company, which had been organized in 1810 by John Jacob Astor, a German immigrant whose name was given to the post. Astor's was the second American effort to establish a fur-trading post in the Columbia River country. It followed by one year the attempt of three brothers, Abiel, Jonathan and Nathan Winship, to build about forty miles up the river from its mouth, an effort that failed because of the hostility of the natives. Astor's plan was on a grand scale and, had it been realized, might have won most of the Northwest Coast for the United States.

Astor's program was defeated by conditions over which he had no control. Disaster struck both the party that came by ship and the overland expedition. After sailing from the East Coast around South America to the



DR. JOHN McLOUGHLIN,
*for a fifth of a century the
patriarch of Oregon.*

Columbia's mouth, the *Tonquin*, the vessel that brought the first group, sailed up the coast on a trading voyage. While in harbor on the west coast of Vancouver Island the ship was captured by the natives, who killed most of the crew during the first attack. However, one of the crew apparently got to the powder magazine and, when the Indians returned, blew up the ship, killing many of the natives aboard. The loss of the *Tonquin* and all her crew seriously hampered activities of the Astorians.

Tragedy and trouble also followed the overland party under the leadership of Wilson Price Hunt. The difficulties of the trip made it necessary to break the expedition into small groups, each making its way as best it could to the fort. They suffered hardships so extreme that some of the men

died, and some did not arrive at Astoria until as late as 1813. After such an unfavorable beginning, when the business of the Americans seemed to be well started, the War of 1812 began. The partners at Astoria learned that a British warship was on its way to seize the post, and sold out to the North West Company. Renamed Fort George in honor of the British King, George III, the post was a British fur-trading center for many years and remained unoccupied by citizens of the United States until after 1840.

Although the Astor enterprise failed as a business venture, it did, by the odd diplomatic quirk, in the Treaty of Ghent, already noted, add another American claim to those created by Robert Gray's discovery of the Columbia River — itself an incident in the business of fur-trading — and the explorations of Lewis and Clark. Thus the United States had a token of territory in a region completely occupied by the traders of the North West and the Hudson's Bay companies.

The Canadian North West Company agents traded and trapped with considerable but inconsistent success until the arrival, in 1824, of George Simpson, Governor of the Hudson's Bay Company (with which the North West Company was then amalgamated) and Dr. John McLoughlin, Chief Factor for the company in the Columbia District. Dr. McLoughlin won many soubriquets, being known as the White Headed Eagle, the Father of Oregon, the Patriarch of the Pacific Northwest. He did, indeed, rule the land west of the summit of the Rocky Mountains, from California north including what is now known as British Columbia.

From Fort Vancouver, about which grew up the City of Vancouver, Washington, he directed, like a medieval baron, the business of his company and exercised a controlling influence over the lives of the many trappers in

a dozen far-scattered forts. He was even able to maintain a peace between the Indians and the whites.

Although the principal business carried on at and from Fort Vancouver was the fur-trade, many other enterprises were started there. The first saw-mill and the first gristmill in the Pacific Northwest were erected nearby in 1827 and 1828. The *Beaver*, the first steamship on the Pacific Ocean, made the fort its home port for many years after arriving in 1836. Farms and ranches were laid out near Fort Vancouver and other posts east of the Cascade Range and at the head of Puget Sound. A dairy was operated on Sauvie Island. A doctor was stationed at the fort most of the time. In short, Fort Vancouver was the business and social center of the Oregon Country for twenty years after its founding.

Through ability, enterprise and authority of position, Dr. McLoughlin was able to build the Hudson's Bay Company into the dominant force throughout the region; so firm was that position, not one of the Americans who came here intending to enter the fur-trade, was able to remain or to compete for long.

Of the Americans who tried to do so, all were colorful characters and some were outstanding personalities.

There was Jedediah S. Smith, the first white man to come overland from California into the Pacific Northwest, leading a group of fur-traders north in 1828. Most of the group were massacred by Indians on the Umpqua River, Smith and two or three others only escaping and after many perils reaching Fort Vancouver. Dr. McLoughlin sent an expeditionary force against the Indians, recovered Smith's furs and purchased them from him. After that experience Smith did not again attempt to trade in the Pacific Northwest.

Four years after Smith, Captain Benjamin L. E. Bonneville, on leave from the United States Army, led a party of 110 men into the Oregon

Fort Vancouver in 1845, just before it became an American army post.



Country with the intention of entering the fur-trade. He was courteously treated but denied any service or help that might make it possible for him to achieve his purpose. Bentville was forced to retire and his retirement was another in the catalog of American business failures in the region. However, by bringing wagons over South Pass as far as Green River in southern Wyoming, he did prove that the overland trip was possible for settlers and helped to prepare for the immigrants soon to come over the route now known as the Oregon Trail.

In 1832 Nathaniel J. Wyeth made his first expedition into the Pacific Northwest, with the intention of establishing an American colony here. Like Astor, he dispatched a ship around South America to the Columbia River and led an overland expedition to meet the ship; like Astor, he failed in his undertaking. The ship was lost and so many of the overland party deserted or were killed by the natives that only nine men reached Fort Vancouver. Two of those men, John Ball and Solomon H. Smith, became the first and second school teachers in the region. Smith stayed as a settler.

Returning to New England, Wyeth organized a second expedition and again arrived in the Pacific Northwest in 1834. He built trading posts and tried to establish American enterprise; but again suffered defeat by the British and was forced to leave the economic and political control of the Oregon Country in the hands of Dr. McLoughlin.

Other acts, however, far outweighed that failure. Wyeth established Fort Hall a few miles north of the present Pocatello, Idaho, in 1834; and that fort was for several decades one of the most important stations on the Oregon and California trails. Wyeth also brought with him, in the missionary party of the Rev. Jason Lee, the first Americans to settle permanently in this region. He thus inaugurated, through the American missionaries, a new period in the history of Oregon.

Two years after the arrival of the Lee party another group of American missionaries arrived under the leadership of Dr. Marcus Whitman and consisting of Mrs. Narcissa Whitman, the Rev. H. H. Spalding and Mrs. Eliza Spalding, and W. H. Gray. Mrs. Whitman and Mrs. Spalding were the two first white women to cross the continent of North America. That party also brought a wagon near to Fort Hall, where it was converted into a cart which was driven farther westward to Fort Boise. They demonstrated that wheeled vehicles could go at least that far toward "Oregon," carrying supplies and possessions and easing travel.

Two years after the Whitman-Spalding group arrived they were reinforced by six more workers in the mission field of eastern Washington and western Idaho. In 1840 the Lee mission in the Willamette Valley also was reinforced by the arrival, by ship, of fifty-one persons. In that party were farmers and craftsmen as well as preachers and teachers.

The Catholic Church, too, sent missionaries into this region, Fathers Francois Blanchet and Modeste Demers arriving in 1838. Within the next six years more priests joined them, and six Sisters of Notre Dame de Namur.

It was a new kind of society that the missionaries — and the settlers who



The Jason Lee mission house near Salem.



*St. Paul Catholic Church
on "French Prairie."*

came a few years later — established in the Pacific Northwest. Not only was it American instead of British, but it was one of homes and law and industry, one in which the arts and sciences of civilization could develop.

The missionaries established schools and colleges, the Methodists founding Oregon Institute, now Willamette University, in 1842, and the Catholics opening a school for boys at St. Paul in the following year. In fact, for many years most schools were started and supported by either Protestant or Catholic churches. The missionaries were the first printers and published the first books in English and the first published by Americans on the Pacific Coast when, in 1839, a press was taken to the Spalding mission at Lapwai, near present Lewiston, Idaho, and shortly thereafter used to produce books.

But, the missionaries were not the only American immigrants in the Pacific Northwest after 1840. After that year farmers and business men, lawyers and doctors, parents and children, men and women in every walk of life came in ever-greater numbers to the Oregon Country. The missionaries publicized the advantages of the region through letters to friends, and in articles in newspapers and religious magazines. A depression throughout the nation after 1837 led many to look to the West for better opportunities. Consequently, thousands of Americans came to make their homes in the Oregon Country.

In 1840 there were only a few residents in the Pacific Northwest who were not fur-traders. They included, in about equal numbers, the families of Americans and of French-speaking retired servants of the Hudson's Bay Company who had married Indian women and turned to farming. The year 1843 saw the arrival of the "great migration" of some 200 American families, 900 to 1,000 persons, who had made the long journey of 2,000 miles over the Oregon Trail. They brought about 150 wagons loaded with household goods, and drove 1,500 head of livestock. They, themselves, outnumbered



Fort Hall, near junction of Port Neuf and Snake rivers — a major post on the Oregon Trail.

all the white settlers, British and American, who were here before they came. They were followed by thousands of Americans, perhaps as many as 4,000 in the next two years and 50,000 in the next decade and a half.

The great majority of them located in the Willamette Valley, where Oregon City quickly became and for a decade remained the metropolis of the area. Interestingly, Oregon City, itself, illustrates the changes then taking place. Founded in 1842 by Dr. McLoughlin on his own land claim, the ownership of the site became a source of contention between the Chief Factor and some American settlers. After the title had been determined, Oregon City became the first capital of Oregon Territory and the home of many other "firsts" in cultural, economic and political activity. Whereas Fort Vancouver had been the center of the fur trade, Oregon City became the center of the new society.

That society depended upon law and order of a different kind from that of the fur-traders. The more complex social order and the larger number of residents called for courts to record deeds, to determine rules for community activity and to preserve the peace. In addition to their need for a government to regulate civil affairs, the American settlers thought that a pro-American local government might help the United States to gain the ownership of the region.

American immigrants had petitioned Congress to extend the jurisdiction of the United States over the territory as early as 1838 — when there were only thirty-six to sign the petition. A court was created in the next year by the missionaries with the acceptance of some of the settlers. Although it heard several cases, its authority was questionable. In 1840 another petition similar to the earlier one was sent to Congress. Little was done, though, and the people governed themselves by the power of public opinion.

In 1841, however, an incident occurred that made the organization of some sort of government necessary. Ewing Young, one of the wealthiest settlers, died, leaving no known legal heirs. The question of what to do with his property immediately arose. A meeting was called and was well attended by American and British subjects, both Protestant and Catholic. A temporary government was created with the offices of supreme judge with probate power, clerk and recorder, justices of the peace and constables. A committee was appointed to draw up a constitution.

Again little action followed, partly because the British and the Catholics did not co-operate. The Americans continued their efforts and succeeded in calling a general meeting at Champoege on May 2, 1843. At that meeting it was voted, by a majority of one or two, to create a provisional government. The government created was so strongly pro-American that the British could not give it their support. Although never very efficient, it did pass several laws and exercised considerable authority.

With the influx of thousands of new settlers in 1843 and 1844 it became imperative to establish a sound, well-working government, and such a government was created in 1845. That was the perfected Provisional Government. George Abernethy was elected governor and served until the Oregon Territorial Government was established. It was purely local and avoided international politics, the oath of office reading, "I do solemnly swear that I will support the Organic Laws of the Provisional Government, so far as the said Organic Laws are consistent with my duties as a citizen of the United States, or a subject of Great Britain . . ." It was acceptable to all groups and received their support. It met the needs of the people and functioned well until the creation of the Territorial Government four years later. In fact, it functioned so well that the laws passed under it were, with the exception of those relating to land, continued as the laws of the Territory of Oregon.

CHAPTER III

OREGON, 1846-1849: LAND WITHOUT A COUNTRY

Oregon was a land without a country for three years after the boundary had been set between the United States and British territory in North America. Congress was occupied with the problems of the Mexican War and delayed extending Federal laws over the newly-won region, leaving the settlers with only their Provisional Government. True, that local, temporary system was then American instead of international as it had been; but the laws were not changed in any important detail and both American and British citizens continued to serve as officials. The legal administration of affairs thus continued much as before; the settlers ran their own government through their own officers by their own laws. Conditions, however, were changing rapidly; each year, almost each month, the need became more pressing for Congress to create Oregon Territory.

Underlying all those changes was the rapid increase in population, an increase that placed new burdens on the government, on business, on education, on all social activities. A flood of settlers poured over the Oregon Trail, going south in the Willamette River valley, west to the streams of the Pacific Coast, north across the Columbia River to Puget Sound. Letters from those already here to the folk at home were passed from hand to hand and published in the newspapers of the Mississippi River valley. They spread the "Oregon fever" — the compelling urge to strike out for the new land — throughout the States. Individuals and families caught it, and soon were on their way.

Most of those immigrants already believed in the manifest destiny of the United States to extend its domain across the continent. Most of them were already familiar with frontier conditions: the toil of the trail did not daunt them, nor did the hardships of building a new home in a distant land. Many of them were suffering from the hard times that followed the panic of 1837; they looked to the West for new opportunities. Many were seeking free land, some were politically ambitious, some just had itching feet. Whatever their motivation, they loaded their covered wagons, gathered together their cattle and stock, said good-bye to friends and relatives. With

good luck, six months or so later they were in the Oregon Country.

By the end of 1844 there were about 2,000 Americans here, almost all of them located in the Willamette Valley and none of them north of the Columbia. During the next year more arrived than were already here, perhaps 3,000 new-



Many immigrants came down the Columbia River on rafts such as this.



Sketch of Seattle as it appeared in 1856.

comers. Approximately the same number arrived the following year, and the year after that. Something like 11,000 Americans came to Oregon in the five years between 1843 and 1848.

A few of them moved north across the Columbia River and began the settlement of the present State of Washington, the first being the group led by M. T. Simmons. That party consisted of five families and several single men who established Tumwater, near the present Olympia, in 1845. It is said that the presence of the mulatto, George Bush, in the party was the reason for moving north. The laws of the Provisional Government prohibited Negro residents. More than thirty years later wheat from Bush's farm won first prize in the Centennial Celebration at Philadelphia.

Until after 1850 settlement north of the Columbia was slow, but after that year cities were rapidly founded: Olympia, Seattle, what is now Bellingham, and others before 1855. The rapid growth of population about Puget Sound, a long way from the capital at Salem, was one of the conditions leading to the creation of Washington Territory in 1853.

North or south of the Columbia, they came to a pleasant land; but one that was isolated from the rest of the nation. They expanded the economic and social life that the missionaries had started; but what they did was for the most part still determined by local needs and local conditions.

Commerce was carried on by sailing ships and an occasional steamship; mail was carried by travelers going east or west. Some ships brought settlers from New England around stormy Cape Horn — a sea voyage that lasted as long as the trek over the Oregon Trail — and in addition a few pieces of machinery, some furniture, a box of books. Some lumber or grain was sent in those vessels back to the East Coast or across the Pacific Ocean to China or the Hawaiian Islands. Some trade was carried on with the Spaniards to the south.



Building the "Star of Oregon," first ship constructed by Americans in Oregon.

One of the most important and dramatic business undertakings of the period was the building and launching of the *Star of Oregon* in 1842. She was the first ship built by Americans in Oregon, and was built by Mountain Men, fur-traders become ship builders, who had never, most of them, ever been to sea. Those

men, under the leadership of Joe Gale, not only built the ship but sailed her to what is now San Francisco. There they traded her for cattle and other livestock which were driven northward to the Willamette Valley, seven hundred miles through unsettled land and over rugged mountains. That expedition broke the monopoly the Hudson's Bay Company had held on livestock and did much to establish American economy in the region. It would be several years before another ship was built in Oregon.

Slight as trade and commerce was, it was sufficient to support a pilot at the bar of the Columbia River in 1847.

That year marks a major development in agriculture, also, for in 1847 the brothers, Seth Luelling and Henderson Lewelling (they spelled their name differently) came to Oregon and the next year set out at Milwaukie the first commercial orchard and nursery in the Pacific Northwest. They brought the young trees "potted" in a wagon box across the Oregon Trail.

From the very first the settlers had to be farmers. They had to grow grain for bread, raise cattle for milk and beef, keep sheep for wool. Even the lawyers and merchants in the small beginning towns usually kept a cow and some chickens, and cultivated a vegetable garden.

Although most of the early comers were farmers and all lived close to the soil, an increasing number of men were going into industry and business.

Dr. McLoughlin had erected the first sawmill and grist mill in the Oregon Country to make boards for the buildings at Fort Vancouver and flour for the fur-traders. The American settlers built other sawmills almost as soon as they arrived, in 1837 and 1840 near the present Newberg and Salem, to meet their needs. A score more were constructed within the decade, some producing lumber for the foreign market. Flour milling during the period was even more important, three or four mills, two at Oregon City, being in operation by 1845 and twice as many more being built during the next four years. When Oregon became a territory the value of agricultural produce and manufactured products was approximately \$2,000,000 each. The economic pattern then set, Oregon has followed to the present.

Not only had a thousand farms been laid out and many mills started, but professional men were opening offices and finding enough clients in the growing communities to make a living. The *Oregon Spectator*, first American

newspaper on the Pacific Coast, was founded at Oregon City early in 1846 and served the region for many years. Although the church continued to be the social center of each community, lawyers began to displace preachers as political leaders and speech makers. There were even a few who devoted their time to the practice of medicine, prescribing the few simple remedies of the day, setting bones and pulling teeth without an anesthetic.

Oregon was indeed becoming a busy, populous and civilized place — but was still a land without a country. The people did preserve peace among themselves. They carried on business, using wheat or other “exportable” commodities as currency. But were land titles legal? What was to be done about the Indians, on whose land the settlers were living and who were growing more resentful of the white man’s unrequested presence?

Among the fur-traders the administration of factors and chief traders had been the accepted government. Company orders had maintained peace among themselves; the power of the better armed trappers and the mutual advantages of the trade had preserved peace between the white men and the natives. Few trappers or voyageurs owned any property but a few personal possessions which might, upon the death of the owner, become the inheritance of anyone who took them. Title to land and buildings owned by retired servants who had married native women passed, native fashion and without formality, to their sons. Law was as simple and as personal as the primitive society.

Among the Americans conditions were different. It had been the question of property ownership, of probating the estate of Ewing Young, that had led to the first effective civil government in the new society. Throughout the period the problem of legalizing land titles perplexed the settlers; it was principally to protect their holdings that they organized and re-organized the government.

To support that government a law levying taxes was passed; since there was no legal method of collecting them, it was provided that refusal to pay would result in loss of “citizenship.” Many persons paid, although Sheriff Joe Meek had a troublesome time collecting. A few, like obstreperous mountain man Joe Gale, refused with a “Darn my sole if I pay.” In addition to the scattered population, which made tax collecting difficult, the scarcity of money made it more so. The first legal tender included, by an act of the 1845 Legislature, such things as lumber, wheat, hides, butter — difficult cash to carry in a purse. In all, only a few hundred dollars were collected, not enough by many times to support a satisfactory government.

Yet, the Provisional Government of 1845 was in its form and branches a state. The Legislature met and passed laws which the Governor signed or vetoed. Courts were held and cases heard; judgments were entered and executed. A post office department was created, but failed due to lack of revenue. Three corporations were created: Multnomah Circulating Library at Oregon City, the Wahoni Milling Company and the Columbia Transporting Company. Duelling was prohibited, as was slavery.

For all its activity, the government was weak. Its laws had not yet been



approved, could not be approved, by the Federal Government. Its authority was firm enough in civil affairs, but it had little power to deal with the "Indian Problem."

Congress had not been wholly inattentive to the problem of providing military protection for the American settlers. Dr. Elijah White arrived among the missionaries in 1837, became involved in disagreements with them and returned east in 1840. There he impressed government officials favorably and was appointed sub Indian agent, returning as a leader of the



Oregon City in 1845, when the city at the falls was the Capital of "Oregon."

immigration of 1842. Although he accomplished little in his dealings with the Indians — his position, under "joint occupation" was unofficial — he was in the forefront of affairs among the settlers for the three following years that he remained here.

Senator Lewis F. Linn, of Missouri, ever an ardent advocate of American ownership of Oregon, tried in 1838 to persuade Congress to provide protection for the settlers on the Columbia River. Three years later he tried to get the Federal Government to erect a chain of forts from the Missouri River

to the summit of the Rocky Mountains, the western limit of United States possessions.

Although nothing could be done by Congress at the time because of the unsettled boundary dispute, the legislative committee of the Provisional Government in 1845 drafted a memorial to Congress asking for, if not a territorial government, at least "adequate military and naval protection." When, early in 1847, news reached Oregon that the international boundary had been determined, official steps were at once taken to secure Congressional action. J. Quinn Thornton, judge of the local supreme court, was sent by Governor George Abernethy to Washington, D. C., leaving in October, 1847, and reaching the national Capital in May, 1848. He promptly presented a memorial and a bill for the organization of Oregon Territory.

While Thornton was pushing his cause, the first crisis between Indians and settlers in the Pacific Northwest occurred in the Whitman massacre of November, 1847. Military protection became imperative. The Legislature sent Sheriff Joe Meek to Washington to ask for help. On his way he passed the site of the mission, where he buried the body of his own daughter who, already sick, had died of neglect at the time of the massacre. He arrived at the national Capital shortly after Thornton, adding his later news and more pressing arguments to those of the judge.

For almost three months Congress debated, not until August 13, 1848, passing the act to create Oregon Territory. President Polk's signature the following day made the act legal; officially, Oregon Territory came into being.

For several months more, however, the people received no benefit from their new position. They themselves, had to meet the situation created by Indian warfare.

Indians of the Willamette Valley were few and weak. Repeated epidemics of smallpox, measles and other diseases of the white man, for which the natives had no immunity, had wholly destroyed or greatly reduced once powerful tribes. The few remaining Indians were incapable of resisting the in-pouring settlers.

Indians east of the Cascade Range had not suffered so severely. More active, war-like and, apparently, better able to survive the diseases introduced by the white man, they were more able and more determined to fight the encroaching Americans. And it was the American settlers they opposed. The fur-traders had not interfered with their way of life or taken their land; on the contrary, the traders had even, by providing blankets, guns and other goods, improved the Indians' economic condition. The American missionaries had preached to the natives and tried to teach them the white man's ways — and plowed the land and brought diseases. The flood of settlers who following the missionaries had no concern for the natives' welfare but rather regarded a dead Indian as the only good Indian. Hatred for the settlers was inevitable; warfare was almost as certain.

Dr. Whitman had become an object of the Indians' hatred years before they struck at his mission. He was a doctor and treated many of them, and

many of them died. It was a custom of the natives to kill their own "medicine men" who failed to effect a cure; some of the bereaved relatives wanted to kill the white medicine man. He cultivated a small farm and warned the Indians away from his crops; tribesmen whose land he had taken were angered at that. Probably more important, he became, in fact as well as in the eyes of the natives, a leader of the immigration that was overflowing their pastures and hunting grounds.

Dr. Whitman had returned east in 1842 to save his mission, which had been ordered closed by the missionary board. Although many heroic episodes mark Pacific Northwest history — among them the wanderings of John Day, the experiences of Madam Marie Dorion and the mid-winter ride of Joe Meek to Washington, D. C. — the mid-winter ride of Dr. Whitman was one of the most dramatic. Leaving, with one companion, in the fall he swung southward, crossing the Rocky Mountains in the present states of Utah and New Mexico in the heart of winter, swimming icy streams and floundering through deep snow. In January the two men reached Bent's Fort in Colorado, where Dr. Whitman's companion abandoned the trip, leaving the missionary to continue across the winter prairies alone. In March he reached Boston, met his board and persuaded them to maintain the mission at Waiilatpu.

He returned to his mission with the "great migration" of 1843, serving as a physician, advising about routes, helping to bring those hundreds of settlers safe to the Oregon Country. Many of that immigration stopped over at the Whitman mission, as did many in the wagon trains that followed. Waiilatpu thus became a station on the road to Oregon.

Watching those newcomers who were over-running their homeland in-



The Whitman Mission at Waiilatpu, from a drawing by a survivor of the massacre.

creased the hatred of the natives for Dr. Whitman. Finally a group of the Cayuse tribe struck on November 29, 1847. They killed Dr. and Mrs. Whitman and twelve others. They took forty-six women and children captives, and of these three died.

News of the massacre reached the Hudson's Bay Company post of Fort Walla Walla the next day. The agent there immediately notified Peter Skene Ogden, who had succeeded Dr. McLoughlin as Chief Factor at Fort Vancouver. Chief Factor Ogden, after sending news of the tragedy to Governor Abernethy at Oregon City, assembled a small force of trappers, packed trading goods and immediately started up the Columbia to try to rescue the captives. Reaching Fort Walla Walla he arranged a meeting with the hostile Indians, and was able to purchase the release of every survivor. All of them were safely brought to Oregon City by way of Fort Vancouver.

Governor Abernethy received news of the massacre on December 8, at once communicating it to the Legislature. He also issued a call for volunteers that resulted in the forming, the same day, of an organization known as the Oregon Rifles. Consisting of forty-eight men, it was the first military force organized in the Oregon Country. The next day the Legislature authorized the raising of a regiment of volunteers.

By the last week of January the Oregon forces, under Colonel Cornelius Gilliam and numbering 130 men, were engaging the hostile natives in a few skirmishes. It was the judgment of Governor Abernethy that peace was to be restored if possible, and could be if the murderers were surrendered to be legally tried. Peace conferences were consequently held until the middle of March, and all the Indians, except the few who had raided the mission and those in sympathy with them, were persuaded to remain friendly to the whites.

During the following four months the volunteers made several ineffectual forays against the hostile natives, killing a few but neither winning a decisive victory nor capturing the native leaders. Without funds to purchase supplies or to pay the volunteers, no adequate armed force could be maintained in the field. Consequently, a small garrison was left in a fort, named Fort Waters, that was constructed of the ruins of the mission, and another small detachment was stationed at The Dalles; the rest of the troops returned to their farms and businesses. The hostile natives remained safe out of reach of the few soldiers. Warfare was suspended until the coming of a regiment of U. S. Army troops in the fall of 1849 — two years after the massacre and one year after Oregon had become a territory.

Several months before, on March 3, 1849, Territorial Governor Joseph Lane had arrived at Oregon City and proclaimed the creation of Oregon Territory. From that date the political administration was under Federal supervision. Oregon was no longer a land without a country. However, the Provisional Government of the settlers had worked so well that most of its laws were continued and the management of affairs and the progress of Oregon showed no sharp break but a steady development.

CHAPTER IV

CONGRESS AND THE OREGON QUESTION

The progress of the Oregon question in Congress was not meteoric but it was spectacular. Its course was that of a comet, observed first in the distance by students who chart its steady approach till it reaches its zenith and then follow its course as it recedes.

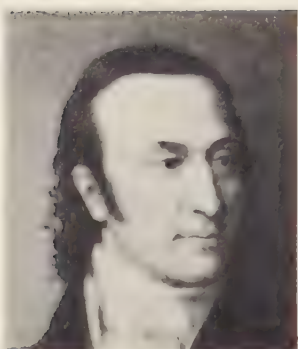
Credit for detecting the first appearance of the new celestial body destined to become a star in the Federal Constellation, goes to Representative Dr. John Floyd of Virginia. On December 19, 1820, he moved for the appointment of a committee of the House to inquire into the settlements along the Pacific Coast and of the expediency of occupying the Columbia River. This was not only the first appearance of the question of Oregon in Congress, but was very early in the history of the Pacific Northwest considering the fact that there were no American settlements at that time in the Oregon Country; that it was four years before the arrival of Dr. John McLoughlin and fourteen years before the arrival of the Rev. Jason Lee; and twenty-three years before the arrival of the first wagon train. Nevertheless the committee reported out a bill on January 25, 1821, which died on the calendar.

Dr. Floyd tried again on January 18, 1822, when he reported out a bill in which the name "Oregon" was applied to the territory. Previously the name had been applied to the river only. This bill called for considerable discussion but was tabled January 25, 1823.

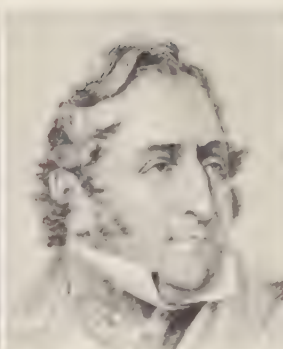
His third attempt brought some results and his bill passed the House on December 23, 1824 by a vote of 113 to 57. It provided for a territorial government, military occupation, and a grant of land to settlers: all that, before there were any American settlers in the region. The bill came before the Senate and was tabled in March, 1825. This was the high water mark in Oregon Congressional action for several years. Dr. Floyd tried again on December 18, 1827, but the bill never came to a vote. He retired from Congress in 1829.

The next agitation came about as a result of the activities of the Boston school teacher, Hall J. Kelly. He came on the scene in 1827 at the time Congress was agreeing to extend the joint occupation convention of 1818. Between 1827 and 1831 he had Dr. Floyd, Edward Everett, of Massachusetts, and Senator Thomas H. Benton, of Missouri, present a series of memorials asking aid to form a colony in the Pacific Northwest. His schemes lacked sufficient substance to justify serious consideration.

Then followed a period of seven years before another advocate came on the scene in the person of Senator Lewis F. Linn, of Missouri, aided and abetted by Senator Thomas H. Benton, also of Missouri. Senator Linn introduced his first bill on February 7, 1838, in which he proposed the establishment of the Oregon Territory and the occupation of the Columbia



JOHN FLOYD
(1783-1837)



THOMAS HART BENTON
(1816-1879)
Friends of Oregon.



LEWIS FIELD LINN
(1795-1843)

River. This bill carried an appropriation of \$50,000 but failed to pass. Both Senators Linn and Benton not only pushed the cause in the Senate, but they published articles and made public addresses to stimulate a public interest in Oregon and its settlement. They constituted such a formidable team that when, on January 28, 1839, they presented to the Senate a petition which Jason Lee had brought with him from Oregon, signed by thirty-six Oregon settlers, a marked change was noted in Congress. Here for the first time was an appeal by actual settlers asking for Congressional protection.

At this time petitions and memorials were coming in from other states urging Congress to lay claim to the territory. In December, 1839, Senators Linn and Benton presented a number of these to the Senate. Nothing came of them.

In December, 1840, an event took place in London which added fuel to the Oregon flame. At that time the newly organized Puget Sound Agricultural Company became active. It had all the earmarks of being a settlement scheme. Congress had grown accustomed to the presence of the Hudson's Bay Company as a fur-trading organization, but an agricultural company was something different. Then came the news that the Hudson's Bay Company was moving settlers from the Red River district in eastern Canada to the farm on the Cowlitz River. Thus the alarm was sounded to urge abrogation of the joint occupancy treaty of 1827. There had been a feeling in Congress that under this treaty free access only to the land was allowed but no settlements. No less a lawyer than Senator Rufus Choate, of Massachusetts, had made a very convincing argument to that effect. But now Senator Linn was able to counter by pointing out what the newly organized British agricultural company was doing.

At this point Daniel Webster stepped into the picture. He, as Secretary of State, and Lord Ashburton, representing Great Britain, brought forth the Washington Treaty of August 9, 1842, which fixed the line between the

present northeastern part of the United States and Canada. Many had hoped that they would also agree on the line between the same parties in the Pacific Northwest. The treaty of 1818 had set the 49th degree of north latitude as the dividing line westward from the Lake of the Woods to the crest of the Stony (Rocky) Mountains. Inasmuch as Webster and Lord Ashburton were conceded to have the authority necessary to have continued that line westward from the Rocky Mountains to the ocean, and since it was one of the burning issues of the day, their failure to do so again sent Linn and Benton into action.

The Washington treaty was unpopular and brought much distrust of Webster. There was much war talk, the stock market prices fell, and a cleavage between the Southern and the Western senators began to appear. Senator Benton announced that John C. Fremont reported the South Pass of the Rocky Mountains was a gateway open even to wagons. As a result of that news many people throughout the Middlewestern states began preparations to go west. The report spread that Webster was willing to trade a portion of Oregon for the harbor of San Francisco. This met stern opposition from westerners determined to hold both Oregon and California.

President John Tyler also came in for his share of criticism when he presented the Washington Treaty to the Senate and brushed off the Oregon question with a statement that it was inexpedient to raise it at that time. So bitter was the feeling against Webster that a rumor had him going to England to settle the Oregon northern boundary. One editor disdainfully wrote: "What guarantees have we that he will not sell the whole of Oregon Country to the British, and spend the balance of his days among them?"

Regardless of all this the Senate again refused to pass the Linn bill, but not until it had served notice on the President that the Oregon boundary could not be settled by the executive branch of the government alone.

Still more petitions came in from many states, among them being Illinois, Kentucky and Missouri. Again Senator Linn introduced an Oregon bill on December 19, 1842. In all his bills he had been careful not to define the northern boundary of Oregon. This brought forth a new champion in the person of Senator Robert J. Walker, of Mississippi, who arose in his seat and announced that he was not disposed to abandon one inch of Oregon territory from the forty-second to the fifty-fourth degree of north latitude. That indicated friends were coming forward. And they were, for this bill, known as the "land bill of '43," passed the Senate; but not until Senator George McDuffie, of South Carolina, paid his respects by saying: "I would not for that purpose [agriculture] give a pinch of snuff for the whole territory."

The bill went to the House where it was referred to the Committee on Foreign Affairs with John Quincy Adams, Chairman. He had been Secretary of State in 1821 when there had been a discussion in the House as to a settlement on the Columbia River and when Stratford Canning, then Minister for Great Britain, had called on him and said "such a settlement

would be a direct violation of the articles of the Convention of October 20, 1818." Adams could not forget the statement, and the bill was lost. This was the last night Senator Linn was to make, for the great champion of Oregon, its noble and devoted leader, treated with deference and respect by both allies and opponents, died before the next session.

The Oregon spirit lived on, but when Senator David R. Atchison, Linn's successor, presented practically the same bill which passed the senate at the previous session, it went down to defeat under the sledge hammer blows of Senator Claite's legal arguments to the effect that any American settlements in Oregon would contravene the convention of 1818 continued in the treaty of 1827. The Atchison bill failed for another reason. It set the northern boundary at 54 degrees 40 minutes north latitude. The Linn bills had been silent, or set 47 degrees as the boundary. When 54 degrees 40 minutes was set, it was strongly opposed as binding the hands of any treaty commission.

While the Senate was suffering a relapse, the House was taking a forward step. On February 3, 1845, by vote of 140 to 59 it passed an Oregon bill to organize a territorial government, introduced by Representative Alexander Duncan, of Ohio, on December 16, 1844.

Thus the Senate had passed an Oregon bill in 1843 and now the House passed one in 1845.

Astute political leaders endeavored to tie together the Texas and the Oregon questions. The South wanted Texas, the West, Oregon. Such presidential candidates as Lewis Cass, Henry Clay and Martin Van Buren wrote public letters pledging support for the control of both Texas and Oregon, and the Democrats came out with "fifty-four forty or fight" as their campaign slogan.

The joint resolution for the annexation of Texas having passed both houses of Congress just before the inauguration of Polk, he was left free to devote his attention to Oregon. Accordingly, on July 10, 1845, Secretary of State James Buchanan offered Sir Richard Pakenham, the British minister, to fix the northern boundary of Oregon on the 47th parallel. Thus, Pakenham refused without even submitting it to his government. Thereupon Polk instructed Buchanan to withdraw the offer, and to assert the claim of the United States to 54 degrees 40 minutes north latitude.

Senator Benton worked closely with President Polk but never would support the 54-40 claim, the basis for which was the Monroe Doctrine. Senator Benton contended the logical conclusion to this argument would deprive England of her just right to the territory between 49 degrees and 54 degrees 40 minutes north latitude, which territory she claimed by right of discovery, exploration and settlement.

President Polk assumed that Congress was supporting his contention. But as the debates continued it became increasingly clear that he could not control the two-third vote in the Senate necessary to approve a treaty. However, he felt sufficiently sure of enough support to justify his rejection of the offer of Sir Richard to submit the boundary dispute to arbitration.

This strong action of Polk, plus his support in Congress, in the end proved to be effective; for suddenly in June, 1846, Sir Richard, on behalf of Great Britain, submitted a proposition to settle the northern boundary of Oregon on the 49th parallel practically as the United States had several times previously suggested. Polk submitted the treaty, dated June 15, 1846, to the Senate where it was ratified by a vote of 41 to 14.

Thus came to an end the long dispute over the northern boundary of the Oregon Country. While it is true that Great Britain thus finally agreed to the line which the United States had been repeatedly suggesting since 1818; yet, in so doing she released her claim only to that part of Washington lying west of the Columbia River, as she had, since 1818, been willing to grant to the United States possession of all land east and south of the Columbia River. Thus the State of Oregon as it is today was never in danger of being lost to the United States and hence was not saved. But by the settlement the present British Columbia south of 54-40 was given to Great Britain.

When news of the ratification of the treaty reached Oregon many months later, there was considerable disappointment. The feeling against the Hudson's Bay Company had been growing, so that when it was learned that the treaty not only recognized the company's right to the lands it occupied but gave it free use of the Columbia River, there was much unfavorable comment. On top of that came the news that President Polk intended to appoint the territorial officers. This was all the more disappointing because the people had grown accustomed to electing their own officers under the Provisional Government of 1845, and resented having outsiders appointed to the local offices.

Throughout the period of congressional debates the people in Oregon were poorly informed of what was going on in Congress. They felt, also, that a representative should go to Washington to make their wishes clear to Congress. Accordingly Governor Abernethy sent J. Quinn Thornton to Washington, where he arrived on May 11, 1848. He was received by Stephen A. Douglas and presented to President Polk, who received him cordially and listened to his request.

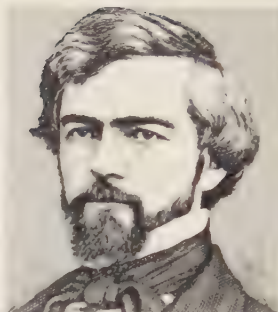
Likewise the Oregon legislature, being none too happy over having Thornton — the Governor's agent, not theirs — in Washington, drafted and sent to Benton a memorial expressing their various wishes. This was carried by Joe Meek, who arrived in Washington the last week of May, 1848.

When Thornton and Meek arrived they learned what had been going on in Congress. President Polk, in his message of December, 1846, had urged passage of a bill making Oregon a territory. Stephen A. Douglas, of Illinois, presented such a bill. It passed the House on January 16, 1847, by a vote of 133 to 35. It contained a clause prohibiting slavery in the territory. When the bill reached the Senate it was amended by striking out that clause. Then the bill was laid on the table and died there.

Following this Douglas had been elected to the Senate. As chairman of



JOSEPH LANE
(1801-1881),
*first governor of
Oregon Territory.*



ISAAC I. STEVENS
(1818-1862),
*first governor of
Washington Territory.*



WILLIAM H. WALLACE
(1811-1879),
*first governor of
Idaho Territory.*

the committee on territories he introduced a bill on January 10, 1848, to create Oregon Territory. No action had been taken on this bill when Thornton arrived. At the suggestion of President Polk he presented a memorail to Congress on behalf of the Oregon people. Meanwhile the legislative petition had arrived from Oregon at the hands of Joe Meek.

In the House, Representative Caleb B. Smith of Indiana had introduced a bill on February 9, 1848, that was almost identical with the Douglas bill which had passed the house in 1846. That bill also had floated about the House without action. On May 29, 1848, President Polk submitted a special message to Congress again urging the immediate organization of a territorial government in Oregon.

The debates on the two bills were no different from those on all previous bills. There was no lack of interest on the part of Congressmen. The Southern Senators and Representatives were as much in sympathy with the people of Oregon as were the Western men. But it was a question of maintaining the institution of slavery. The Southern people claimed the right to go where they pleased with their property. They claimed their slaves were property. This the people of Oregon denied, and so the line of battle was drawn.

The debate in the Senate was especially spirited. It is safe to say that the Douglas bill was as severely attacked by such men as Henry S. Foote, of Mississippi, Andrew P. Butler and John C. Calhoun, of South Carolina, James M. Mason, of Virginia, and others as any bill in recent years. Senator Benton carried the flag for Oregon, supported by such men as Sam Houston, of Texas, Stephen A. Douglas, of Illinois, Daniel Webster, of Massachusetts (who was now Senator), Thomas Corwin, of Ohio, and John A. Dix, of New York. The fight lasted for several weeks. It was an array of master minds indulging in clear and cold reasoning. It ended in a compromise bill being passed on July 27.

It was sent to the House where the Smith bill was experiencing a similar



JAMES K. POLK
(1795-1849),
*President who signed the
bill creating Oregon
Territory.*



STEPHEN A. DOUGLAS
(1813-1861),
*member of congress who
worked to create Oregon
Territory.*



JOSEPH L. MEEK
(1810-1875),
*first U. S. Marshal of
Oregon Territory.*

grueling debate. The Senate compromise bill was entirely unsatisfactory to the House, and was immediately tabled while the debate on the Smith bill continued till August 2, when it passed, 129 to 71.

This bill was then sent to the Senate. Meanwhile, Monday, August 14, had been set as the day of adjournment. Immediately the Southern Senators set out to defeat the bill by talking it to death. That policy was carried on until after midnight of Saturday, August 12, when Foote undertook to carry on till time to adjourn. The supporters of the bill waited in the ante-room and appeared in time to defeat every motion to adjourn. Finally about 9 A.M. Sunday, August 13, Foote gave up the fight. Senator Benton then took over, marshalled his forces and finally forced the issue; the Smith bill was passed carrying the anti-slavery clause.

The rule prohibiting bills being signed on the last day of Congress was suspended and on Monday, August 14, President Polk signed the bill making Oregon a territory.

On August 18, President Polk appointed General Joseph Lane, of Mexican War fame, as Territorial Governor with Amory Holbrook, of Oregon City, as U. S. Attorney and Joe Meek as Marshal. He had some trouble getting men to accept as Territorial judges for Oregon but finally got acceptances from William P. Bryant, of Indiana, as Chief Justice; William Strong, of Ohio, and O. C. Pratt, of Illinois, as associate justices. It is interesting to note that the governorship was offered to Abraham Lincoln, who rejected the offer because, it is said, Mrs. Lincoln did not want to go to the far frontier.

Governor Lane and Marshall Meek made plans at once to reach Oregon. The President was anxious to have them do so and assume their duties before his term expired on March 4, 1849. Lane and Meek reached Oregon City on March 2, and on March 3, 1849, Lane issued his proclamation. The Territorial Government was in force and prepared to cope with its new territorial affairs.

Executive Journal.

March 3^d 1849.

This day the Executive took the following oath of office:

I do solemnly swear that I will support the Constitution of the United States, and faithfully to discharge the duties of the office of Governor of the Territory of Oregon during my continuance in office to help me God.

Given to before me,

(signed) Joseph Lane.

day and date above written.

B. M. Houlden.

Secretary, Oregon Territory.

The following Proclamations was this day issued:

Proclamations

By the Governor of Oregon Territory.

In pursuance of an act of Congress, approved the fourth day of August, in the year of our Lord one thousand eight hundred and forty-eight, establishing a Territorial Government in the Territory of Oregon.

I, Joseph Lane, was on the eighteenth day of August, in the year eighteen hundred and forty-eight, commissioned Governor in and for the Territory of Oregon; I have, therefore, thought proper to issue this my proclamation, making known that I have this day entered upon the discharge of the duties of my office, and by virtue thereof do declare the laws of the United States are extended over and declared to be in force in said Territory, so far as the same, or any portion thereof, may be applicable.

Given under my hands, at Oregon City, in the Territory of Oregon, this third day of March, Anno Domini, 1849.

(signed)

Joseph Lane

And on the same day the following forms of appointment were issued, to wit:

"Joseph Lane, Governor of the Territory of Oregon
To all who shall see these presents: Greeting

Know ye that regarding special confidence in the ability and integrity of
do appoint you to take the census or enumeration
of the white inhabitants of the county of

CHAPTER V

OREGON'S TERRITORIAL YEARS

The Government of the Territory of Oregon was in operation nearly ten years — from Governor Joseph Lane's proclamation of March 3, 1849, to February 14, 1859 — when Oregon was admitted into the Union as a state. During those ten years the population, as shown by the Federal censuses of 1850 and 1860, increased from 13,294 to 52,465. Five men held the office of governor for varying periods. The seat of government was first at Oregon City. In 1850 it was moved to Salem, in 1855 to Corvallis, and later that same year back to Salem. In 1853, due to growing settlements along the Cowlitz River and on the shores of Puget Sound, the separate Territory of Washington was created. Thereafter the Territory of Oregon included only that part of the original territory lying south of the Columbia River and the forty-sixth parallel. Considering the remoteness of the country the territorial period was characterized by rapid development.

At the outset it seemed as though the Willamette Valley might be nearly depopulated, for the discovery of gold in California caused a stampede from the Oregon Country. Actually, however, the gold rush proved a boon to the new settlements. Not only did some of the Oregonians return to their homes with bags of gold, but California offered a ready and lucrative market for the products of Oregon farms and forests. The price of wheat soared to \$6.00 a bushel in 1853 and it is said that as early as 1849 more than fifty ships entered the Columbia seeking grain. Lumber from the Pacific Northwest was likewise in great demand in California. Furthermore the attractiveness of Oregon Territory to settlers was enhanced by the generous donation land law enacted by Congress in 1850.

Oregon Territory also had its own gold rush, in the present Jackson and Josephine counties. The first discoveries were made along the Illinois River in 1850 by some miners who had been prospecting on both sides of the California line. The following year additional discoveries caused a stampede that led to the appearance of the thriving mining camp of Jacksonville, which for a time was one of the most important towns of the Territory. Farmers from the Willamette Valley and miners from California, as well as people reaching the coast on ships, headed for the region.

Another gold field developed about the same time around Kerby (then called Kerbyville) and Waldo (first known as Sailors' Diggings) in what is now Josephine County. Conflicts over water rights soon occurred between the miners and farmers who sought to raise produce for the mining camps. Supplies were shipped up the coast to the mouth of the Umpqua, transported up that river on small craft to Scottsburg or above, and hauled overland to the diggings; or they were hauled across the mountains from Crescent City, California. The excitement soon subsided, but mining continued for several years. It is estimated that about \$18,000,000 worth of

gold was taken out of southwestern Oregon between 1850 and 1870. A small part of it came from "beach mining" in the sands of the ocean around Port Orford, and from strikes along the streams in Curry and Coos counties. There were a few gold discoveries in northeastern Oregon during the fifties, but the rush to that region did not occur until the Territory had become a State.

Although the stationing of troops at Vancouver and Oregon City soon after the creation of the Territory gave the settlers of the Willamette Valley a sense of security, Indian uprisings in other sections kept the troops busy and taxed the strength of the new government and its people. The very year 1848, in which the Territory of Oregon was established, witnessed the so called Cayuse War, brought on by the Whitman massacre. It was not until 1850, however, that five of the Indian leaders surrendered and were tried and executed at Oregon City. During the fifties the Rogue River Indian wars kept Federal troops and volunteers almost constantly in the field for several years. Beginning in 1850, when gold miners and settlers appeared in southwestern Oregon, the most important of these conflicts occurred in 1855-1856. At this time there was a close connection between the Rogue River troubles and the Yakima War and an uprising of the Indians in the Puget Sound region in the Territory of Washington. By 1858 more than 2,000 troops were stationed at numerous posts in the Pacific Northwest.

Indian wars, however, do not constitute the whole story of Indian affairs. Joseph Lane as the first governor of the Territory was ex-officio superintendent of Indian affairs, the duties of which position claimed much of his time. He travelled extensively throughout the Territory and held several successful councils with the natives. Then Anson Dart and Joel Palmer, in succession, were in charge of Indian affairs and made a large number of treaties by which the Indians ceded to the government their title to lands in Oregon. Joel Palmer, especially, had a deep and sympathetic understanding of the Indians and their problems, and he laid the foundations for the permanent reservation policy.

Gold excitement and Indian wars were only the most spectacular aspects of the history of the Territory of Oregon. They had little retarding effect on economic and social development.

It need scarcely be said that farming was the predominant activity of the people of Oregon Territory. The principal agricultural crop was wheat, of which nearly 212,000 bushels were raised in 1849, according to the census of 1850. Most of this grain was raised in the Willamette Valley, but the figures no doubt included some production north of the Columbia. Ten years later a yield of nearly 827,000 bushels was reported, still mostly in the Willamette Valley although wheat was now being raised in areas farther south in the valleys of the Umpqua and Rogue Rivers. In 1859, however, wheat was outdistanced by oats, of which a production of more than 885,000 bushels was recorded. It was not until after the Civil War that the great development of grain production east of the Cascade Range

took place. Similarly, the territorial period closed before the raising of cattle and sheep on a large scale began in eastern Oregon. The pioneer farmers in the Willamette Valley, however, gave considerable attention to livestock, and cattle and sheep were found in ever increasing numbers on the farms.

Fruit raising was also well established in Oregon during territorial days largely through the efforts of Henderson Lewelling and Seth Luelling, and William Meek near Milwaukie, and others in adjacent areas. Apples brought fabulous prices. The first apples sold in Portland in 1850 are said to have netted the producer one dollar apiece. In 1853 a few boxes were shipped to San Francisco where the apples were sold for two dollars a pound. By 1856 as many as 20,000 boxes were shipped to San Francisco where they brought as much as sixty dollars a box; and even in Portland more than one hundred dollars was paid for three boxes of Winesaps. During this period, also, the Lewellings and J. H. Lambert were experimenting with and developing the varieties of cherries which later became so famous, and the first prune orchard was planted.

Transportation for agricultural products was provided mainly by steamships and sailing vessels on the ocean and by steamboats on the rivers until the coming of railroads. In 1850 ocean-going steamships began regular service to and from Oregon ports. The same year witnessed the launching of the first steamboats which in succeeding years plied the Columbia from Astoria to above Portland; on the Willamette going as far upstream as Eugene under favorable conditions; and some distance up such streams as the Yamhill and the Tualatin. Without these steamboats it would have been extremely difficult for Oregon farmers to market their grain and other products.

The transportation of merchandise for the growing settlements was accomplished by pack-trains and wagon freighters over roads that left much to be desired. Stage-coach lines began to appear for service to passengers and in carrying the mail. As early as 1860 stage-coaches ran regularly between points in Oregon and California.

Cultural development in a pioneer community like Oregon during territorial days was held back by various factors. The first concern of the settlers was to establish themselves and make a living; the settlement was sparse and communication difficult; and the towns were small (the census of 1860 showed Portland as the only town with as many as 2,000 population). Nevertheless, cultural agencies were not neglected. The leading Protestant denominations, as well as the Catholics, established churches wherever there were groups of people of their faiths. Elementary schools and academies, mostly private or denominational at first, were well patronized; and before the end of the territorial period the foundations were laid for a tax-supported public school system. The institutions now known as Willamette University, Linfield College, and Pacific University trace their beginnings back to this same period. There were also a few public libraries and bookshops that had a good patronage.

Newspapers put in their appearance almost with the beginning of the settlements. The *Oregon Spectator* was soon followed by others, such as the *Oregonian*, established in Portland in 1850, and the *Oregon Statesman*, which was first published in Oregon City beginning in 1851 and was later moved to Salem. By 1859 there were eleven weekly newspapers in Oregon.

Although there were no regular theaters before statehood was achieved, public entertainment ~~were not entirely lacking~~. Troupes of minstrel singers and one-ring circuses occasionally toured the area. A program of vocal music was given at Oregon City in 1849 by a man who advertised himself as having "given concerts in New York and other eastern cities." In succeeding years there are references to similar performances and to entertainments by impersonators or elocutionists. Community singing schools were also noted.

As citizens of a Territory the people of Oregon could not participate in national elections, except to choose a Delegate to Congress who could present and debate bills in the lower house of Congress, but had no vote. Nevertheless, there was no lack of political activity. Although the Governor and other territorial officials were appointed by the President, the people chose the members of the Legislature and numerous local officials. The two leading political parties of the period, the Democrats and the Whigs, were well organized and active. The Democrats were generally victorious in the elections of the territorial period. After 1856 the new Republican party supplanted the Whigs. A special incentive to political party activity was the prospect of statehood, when the people of Oregon could elect all their own officials and participate in national elections.

As a matter of fact, the movement for statehood was begun early, but when the question was submitted to the people in 1854, 1855 and 1856 there was a negative majority. In 1857, however, the proposal was overwhelmingly adopted. A constitutional convention was held that year at Salem and a state constitution was drafted and adopted by popular vote. The application for admission into the Union caused considerable debate in Congress, but finally on February 14, 1859, Oregon became a full-fledged State. Thus ended the Territory of Oregon created one hundred years ago this summer of 1948.



The building in which the constitutional convention was held, Salem, 1857.



Territorial Centennial Commission

824 S.W. FIFTH AVENUE

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AT 9411

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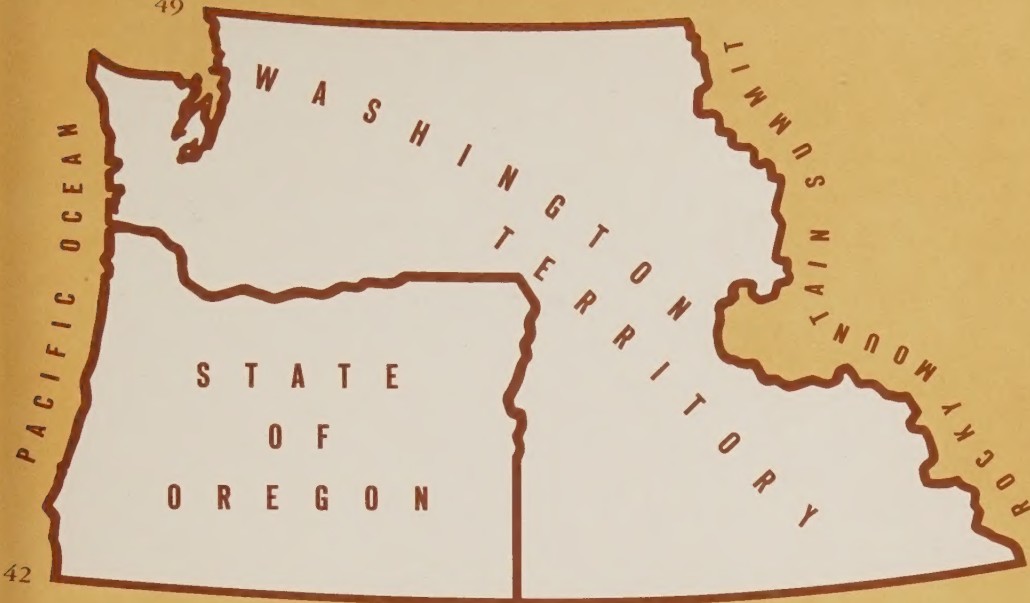
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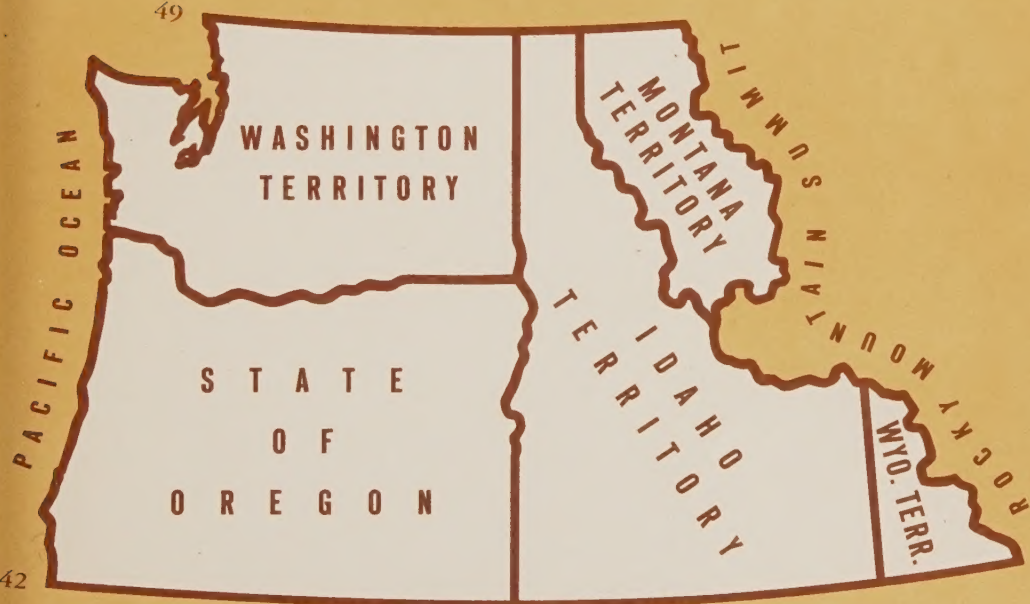
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CARL WEBB
Eugene



*Washington Territory after admission
of Oregon as a State in 1859*



*Idaho, Montana and Wyoming Territories
were created in 1863, 1864 and 1868*

